



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,419	07/10/2001	Duck-Ho Choi	678-645 (P9690)	7668

7590 11/17/2004

Paul J. Farrell, Esq.
DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553

EXAMINER

NGUYEN, PHUOC H

ART UNIT PAPER NUMBER

2143

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,419

Applicant(s)

CHOI, DUCK-HO

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang et al (Hereafter, Wang) U.S. Patent 6,662,226.
3. Regarding claim 10, Wang discloses storing data displayed on the display as display data upon request for capturing the displayed data from a user (e.g. PDA) (col. 6, lines 14-19); requesting the user to enter information about a recipient (e.g. server) that the data is destined to, and transmitting the data to the recipient (Figure 6, col. 8, lines 48-61) (e.g. inherently the PDA is entering the server address to forward the display capture image to the server for storage).
4. Regarding claim 11, Wang discloses determining whether a request for capturing display data has been received from a user (Figure 6A, col. 8, lines 48-61); storing data displayed on the display as display data upon request of capturing of the displayed data from the user (e.g. PDA) (col. 6, lines 14-19); and transmitting the display data to a recipient upon receipt of a transmission request (Figure 6C; col. 34-47).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9 rejected under 35 U.S.C. 103(a) as being unpatentable over Anderlind et al. (Hereafter, Anderlind) U.S. Patent 6,781,972 in view of Wang et al. (Hereafter, Wang) U.S. Patent 6,662,226.

7. Regarding claim 1, Anderlind's figure 1 discloses a method for transmitting a data from the wireless data server (12) to the mobile station (26): determining whether the data is text or graphic data (e.g. the wireless data server determined the appropriate data format for communications over the communication network) (col. 5, lines 28-31); transmitting the data by a predetermined text transmission function if the display data is text data, and transmitting the data by a predetermined graphic transmission function if the display data is graphic data (e.g. selecting a delivery appropriate data from a group of possible delivery methods to the mobile station and the group of delivery methods may include one or more of the following: short messaging service (SMS), transmission over a shared data channel or a dedicated data channel, and other suitable data transmission techniques) (col. 11 last paragraph through col. 12, 1st paragraph). However, Anderlind fails to teach the data is the capturing display data on the display.

Wang discloses the data is the capturing display data on the display (col. 4, lines 45-59).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Wang's teaching into Anderlind's method to capture the information on the display and designated on the server device for future reference.

8. Regarding claim 2, Anderlind further discloses the text transmission function is at least one of an SMS function, an E-mail function, and a data communication function (col. 7, lines 7-14).

9. Regarding claim 3, Anderlind further discloses the graphic transmission function is a data communication function (col. 7, lines 7-14).

10. Regarding claim 4, Anderlind further discloses receiving information about a recipient from the user by the mobile terminal (Figure 4 reference number S12), transmitting the display data along with the recipient information to a base station (Figure 1 reference number 22) by the mobile terminal (Figure 1 reference number 26), transmitting the display data along with the recipient information to a mobile switching center (MSC) (Figure 1 reference number 16) by the base station, and analyzing the recipient information, converting the display data, and transmitting the display data to the recipient by the MSC (col. 3, lines 4-17, 28-32, and 42-46).

11. Regarding claim 5, Anderlind discloses entering a transmission function select mode and displaying a plurality of available transmission functions as menu items, and transmitting the display data by a selected transmission function upon receipt of a selection command from the user in the transmission function select mode (e.g. selecting a delivery appropriate data from a group of possible delivery methods to the mobile station and the group of delivery methods may include one or more of the following: short messaging service (SMS), transmission over a shared data channel or a dedicated

Art Unit: 2143

data channel, and other suitable data transmission techniques) (col. 11 last paragraph through col. 12, 1st paragraph). However, Anderlind fails to teach the data is the capturing display data on the display.

Wang discloses the data is the capturing display data on the display (col. 4, lines 45-59).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Wang's teaching into Anderlind's method to capture the information on the display and designated on the server device for future reference.

12. Regarding claim 6, Anderlind further discloses the text transmission function is at least one of an SMS function, an E-mail function, and a data communication function (col. 7, lines 7-14).

13. Regarding claim 7, Anderlind discloses determining whether the display data is text data or graphic data (e.g. the wireless data server determined the appropriate data format for communications over the communication network) (col. 5, lines 28-31); entering a text data transmission function select mode and displaying a plurality of available text transmission functions as menu items if the data is text data, entering a graphic data transmission function select mode and displaying a plurality of available graphic transmission functions as menu items if the display data is graphic data, and transmitting the data by a selected transmission function upon receipt of a selection command from the user in the text data transmission function select mode or the graphic data transmission function select mode (e.g. selecting a delivery appropriate data from a group of possible delivery methods to the mobile station and the group of delivery methods may include one or more of the following: short messaging service (SMS),

Art Unit: 2143

transmission over a shared data channel or a dedicated data channel, and other suitable data transmission techniques) (col. 11 last paragraph through col. 12, 1st paragraph).

However, Anderlind fails to teach the data is the capturing display data on the display.

Wang discloses the data is the capturing display data on the display (col. 4, lines 45-59).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Wang's teaching into Anderlind's method to capture the information on the display and designated on the server device for future reference.

14. Regarding claim 8, Anderlind further discloses the text transmission function is at least one of an SMS function, an E-mail function, and a data communication function (col. 7, lines 7-14).

15. Regarding claim 9, Anderlind further discloses the graphic transmission function is a data communication function (col. 7, lines 7-14).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dauerer et al. U.S. Patent 6,021,416 disclose a dynamic source code capture for a selected region of a display.

Ray U.S. Patent 6,192,257 discloses a wireless communication terminal having video image capability.

Snyder U.S. Patent 6,643,641 discloses a web search engine with graphic snapshots.

Art Unit: 2143

Congdon et al. U.S. Patent 6,556,208 disclose a network management card for use in a system for screen image capturing.

Narayanaswami U.S. Patent 6,657,654 discloses a camera for use with personal digital assistants with high speed communication link.


Challa et al. U.S. Patent 6,396,481 disclose an apparatus and method for portable handwriting capture.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Mon -Thu (7AM-4: 30PM) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H. Nguyen
Examiner
Art Unit 2143


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Application/Control Number: 09/902,419

Page 8

Art Unit: 2143

November 12, 2004